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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
POKRZYWA, JOSEPH R	

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/927,492	TAKAKURA ET AL.	
	Examiner	Art Unit	
	Joseph R. Pokrzywa	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 May 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 5/4/05, and has been entered and made of record. Currently, **claims 1-26** are pending.

Response to Arguments

2. Upon review of the current amendment and the reference of Philyaw (U.S. Patent Number 6,845,388), which was cited in the Office action dated 2/2/05 as anticipating claims 1-26, the examiner notes that Philyaw can still be interpreted as anticipating the claims. A full discussion appears below.

3. Applicant's arguments filed 5/4/05 have been fully considered but they are not persuasive.

4. In response to applicant's arguments regarding the rejection of ***claim 1***, whereby applicant argues on page 9 that Philyaw fails to teach of the amended feature that the pattern information is in the form of a "multidimensional code". While the examiner understands applicant's arguments, it is noted that a bar code can still be interpreted as a multidimensional code. A bar code has a width and a height, therein being two-dimensional. Additionally, as read in column 17, lines 15-17, the bar code can be "any type of image having information encoded therein". Thus, a two-dimensional bar code, a taught by Philyaw, can be considered a multidimensional code.

5. Further, in a separate embodiment, Philyaw additionally discloses that the information provider can convey information to a consumer via video code, as read in column 12, lines 42-59. Particularly, Philyaw states in column 12, lines 46 and 47, that the "embedded video code could be relatively complex or as simple as a grid of dark and white regions", and in column 12, lines 52-54, that the system would "require an array of optical detectors, one for each region in the grid". Thus, by having a grid pattern and an array of optical detectors, one can interpret Philyaw as teaching of using a multidimensional code.

6. Continuing, in response to applicant's arguments regarding the rejection of ***claim 1***, whereby applicant argues on page 9 that Philyaw fails to teach of a returning unit that returns "reply information of the conveyance information to at least one of the information provider side and the information distributor side based on the conveyance information that said restoring unit restored from the pattern information". Philyaw teaches that conveyance information is conveyed from the provider side to a consumer side, being interpreted as the information about the manufacturer which is conveyed to the consumer via a bar code, as read in column 16, line 56-column 17, line17. Further, Philyaw teaches that the conveyance information is encoded in a bar code, as read in column 17, line 47-column 18, line 26. Continuing, Philyaw teaches of restoring the conveyance information encoded within the bar code in column 18, lines 1-64, whereby in lines 34-46, Philyaw states that "In response to receiving the scanned bar code 1606, the wedge interface outputs a keystroke code (e.g. ALT-F10) to bring the input device program into the foreground", and "the input device program then inserts the necessary information into the browser program. The message packet is then transmitted to interface 304... to the ARS 308". With this, as read in column 19, lines 5-14, Philyaw states that "The return message

packet transmitted from the ARS 308 to the PC 302 is then transmitted back across the GCN 306 to the advertiser server 312". Thus, Philyaw can be recognized as teaching of returning reply information of the conveyance information to at least one of the information provider side and the information distributor side based on the conveyance information that the restoring unit restored from the pattern information, as currently required in claim 1.

7. Therefore, the rejection of **claim 1**, which was cited in the Office action dated 2/2/05 under 35 U.S.C.102(e) as being anticipated by Philyaw is again repeated in this Office action, with respect to the currently amended claim. Similarly, for the same reasons discussed above, the rejections of independent **claims 2-7, 20-22, 25, and 26**, which were also cited in the Office action dated 2/2/05 under 35 U.S.C.102(e) as being anticipated by Philyaw, are again repeated in this Office action, with respect to the currently amended claims.

8. In response to applicant's arguments regarding the rejection of ***claim 24***, whereby applicant argues on pages 9 and 10 that Philyaw fails to teach of a distribution material in which the pattern information includes "at least one of provision information that an information provider side provides to a consumer side, return information for returning reply information of the provision information, and a storage program for determining an environment of the consumer side. The examiner notes that the pattern information is to include **at least one** of the features in the list, but not necessarily **all of the** features. Thus, according to the current claim language the pattern information includes provision information that an information provider side provides to a consumer side **or** return information for returning reply information of the provision information **or** a storage program for determining an environment surrounding the

consumer side. With this, Philyaw teaches that provision information is included in the bar code, whereby the provision information includes information that an information provider side provides to a consumer side, as read in column 17, line 47-column 18, line 26. Further, as discussed above, the bar code taught by Philyaw can be considered a multidimensional code. Because of this, the claims, as currently worded can be interpreted as being anticipated by Philyaw.

9. Therefore, the rejection of **claim 24**, which was cited in the Office action dated 2/2/05 under 35 U.S.C.102(e) as being anticipated by Philyaw is again repeated in this Office action, with respect to the currently amended claim.

Claim Rejections - 35 USC § 102

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. **Claims 1-26** are rejected under 35 U.S.C. 102(e) as being anticipated by Philyaw (U.S. Patent Number 6,845,388, cited in the Office action dated 2/2/05).

Regarding ***claim 1***, Philyaw discloses an information conveying system in which an information provider side conveys information to a consumer side via a distribution material distributed by an information distributor (see Fig. 16, and column 16, line 47-column 17, line 17), and a bi-directional information exchange between the information provider side and the consumer side is made (see Figs. 19 and 22, and column 22, line 56-column 23, line 33), comprising a converting unit, on at least one of the information provider side and the information distributor side converting conveyance information conveyed from the information provider side

to the consumer side into pattern information recording digital data as a multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines 34-63), a restoring unit, on the consumer side, restoring the conveyance information from the pattern information (column 17, lines 18-46), and a returning unit, on the consumer side, returning reply information of the conveyance information to at least one of the information provider side and the information distributor side based on the conveyance information that the restoring unit restored from the pattern information (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 2***, Philyaw discloses a server (ARS 308) in an information conveying system conveying conveyance information to a consumer side, and receiving a reply to the conveyance information comprising a converting unit converting the conveyance information to be conveyed to the consumer side into pattern information in a multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines 34-63), and an accumulation unit accumulating information returned from the consumer side in response to the conveyance information restored from the pattern information (column 8, lines 1-47, and column 18, lines 40-46, and column 21, lines 1-28).

Regarding ***claim 3***, Philyaw discloses a terminal (PC 302) used by a consumer side in an information conveying system making a bi-directional information exchange between an information provider side and the consumer side (see Figs. 19 and 22, and column 22, line 56-column 23, line 33), comprising a restoring unit restoring conveyance information from pattern information printed in a multidimensional code on distribution material (column 17, lines 18-46), and a returning unit returning reply information to the information provider side based on the

conveyance information that the restoring unit restored from the pattern information (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 4***, Philyaw discloses an information conveying system in which an information provider side conveys information to a consumer side via a distribution material distributed by an information distributor (see Fig. 16, and column 16, line 47-column 17, line 17), and a bi-directional information exchange between the information provider side and the consumer side is made (see Figs. 19 and 22, and column 22, line 56-column 23, line 33), comprising converting means, on at least one of the information provider side and the information distributor side, for converting conveyance information conveyed from the information provider side to the consumer side into pattern information recording digital data as a multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines 34-63), restoring means, on the consumer side, for restoring the conveyance information from the pattern information (column 17, lines 18-46), and returning means, on the consumer side, for returning reply information of the conveyance information to at least one of the information provider side and the information distributor side based on the conveyance information that the restoring means restored from the pattern information (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 5***, Philyaw discloses a server (ARS 308) in an information conveying system conveying conveyance information to a consumer side, and receiving a reply to the conveyance information comprising a converting means for converting the conveyance information to be conveyed to the consumer side into pattern information in a multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines

34-63), and accumulating means for accumulating information returned from the consumer side in response to the conveyance information restored from the pattern information (column 8, lines 1-47, and column 18, lines 40-46, and column 21, lines 1-28).

Regarding ***claim 6***, Philyaw discloses a terminal (PC 302) used by a consumer side in an information conveying system making a bi-directional information exchange between an information provider side and the consumer side (see Figs. 19 and 22, and column 22, line 56-column 23, line 33), comprising restoring means for restoring conveyance information from the pattern information printed in a multidimensional code on distribution material (column 17, lines 18-46), and returning means for returning reply information to the information provider side based on the conveyance information that the restoring means restored from the pattern information (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 7***, Philyaw discloses an information conveying method with which an information provider side conveys information to a consumer side via a distribution material distributed by an information distributor side (see Fig. 16, and column 16, line 47-column 17, line 17), comprising converting at the information provider side or the information distributor side, conveyance information to be conveyed from the information provider side to the consumer side into pattern information recording digital data as multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines 34-63), and restoring, at the consumer side, the conveyance information from the pattern information printed on the distribution material (column 17, lines 18-46), and returning, from the consumer side, reply information of the conveyance information to at least one of the information provider side and

the information distributor side based on the conveyance information restored from the pattern information (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 8***, Philyaw discloses the method discussed above in claim 7, and further teaches that the conveyance information includes at least one of the provision information that the information provider side provides to the consumer side (column 17, line 47-column 18, line 26), return information for returning the reply information (column 18, lines 1-46), and a storage program determining an environment surrounding the consumer side (column 22, lines 2-55, and column 26, lines 34-65).

Regarding ***claim 9***, Philyaw discloses the method discussed above in claim 8, and further teaches that the provision information is multimedia information including at least one of character information, still image information, moving image information, and audio information (column 17, line 1-column 18, line 26, and column 20, lines 32-46).

Regarding ***claim 10***, Philyaw discloses the method discussed above in claim 8, and further teaches that the storage program returns the reply information by making a connection to a network if the consumer side can make the connection to the network (column 22, line 55-column 23, line 63), or presents information required for returning the reply information with a method which does not make a connection to the network if the consumer side cannot make the connection to the network (column 23, line 34-column 24, line 10).

Regarding ***claim 11***, Philyaw discloses the method discussed above in claim 8, and further teaches that the storage program identifies a terminal of the consumer side (column 15, lines 2-62, column 17, lines 26-59, column 20, line 47-column 21, line 41).

Regarding ***claim 12***, Philyaw discloses the method discussed above in claim 7, and further teaches that the information provider side assigns a distribution material identifier for identifying a type of the distribution material to the distribution material (column 17, line 17-59, column 18, lines 15-58, and column 20, lines 32-58) and converts the distribution material identifier into pattern information along with the conveyance information (column 17, line 17-59, column 18, lines 15-58, and column 20, lines 32-58).

Regarding ***claim 13***, Philyaw discloses the method discussed above in claim 7, and further teaches that the information provider side accumulates the reply information that the consumer side returns (column 8, lines 1-47, and column 18, lines 40-46, and column 21, lines 1-28).

Regarding ***claim 14***, Philyaw discloses the method discussed above in claim 7, and further teaches that the conveyance information includes questionnaire information for the consumer side (column 13, lines 9-53), and the return information includes a reply result of the questionnaire information (column 13, lines 9-53, and column 18, line 27-column 19, line 32).

Regarding ***claim 15***, Philyaw discloses the method discussed above in claim 14, and further teaches that the information provider side assigns an identifier to each type of the questionnaire information (column 13, lines 9-53), and converts the identifier into pattern information along with the conveyance information (column 13, lines 9-53, and column 18, line 27-column 19, line 32).

Regarding ***claim 16***, Philyaw discloses the method discussed above in claim 15, and further teaches that the return information includes the identifier along with the reply result, and

the information provider side adds up the reply result by using the identifier (column 13, lines 9-53, and column 18, line 27-column 19, line 32).

Regarding ***claim 17***, Philyaw discloses the method discussed above in claim 7, and further teaches that the conveyance information includes information for determining winning/losing of a prize (column 15, lines 11-62), and a winning/losing determination program for determining winning/losing of a prize according to the information for determining the winning/losing of a prize (column 15, lines 11-62, and column 18, line 27-column 19, line 32), and identification information set on the consumer side (column 13, lines 9-53, column 15, lines 11-62, and column 18, line 27-column 19, line 32).

Regarding ***claim 18***, Philyaw discloses the method discussed above in claim 17, and further teaches that the winning/losing determination program immediately notifies the consumer side of a determination result when determining winning/losing of a prize (column 15, lines 11-62).

Regarding ***claim 19***, Philyaw discloses the method discussed above in claim 17, and further teaches that when the identification information is not set on the consumer side, the winning/losing determination program assigns the identification information via a network if the consumer side can make a connection to the network (column 15, lines 11-62, and column 22, line 55-column 23, line 63), or presents information required for assigning the identification information with a method which does not make a connection to the network if the consumer side cannot make the connection to the network (column 15, lines 11-62, and column 23, line 34-column 24, line 10).

Regarding ***claim 20***, Philyaw discloses an information conveying method comprising restoring conveyance information from pattern information recording digital data printed in a multidimensional code on distribution material (column 17, lines 18-46), and returning reply information to an information provider side based on the conveyance information restored from the pattern information (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 21***, Philyaw discloses a computer-readable storage medium on which is recorded a program for causing a computer to execute a process (whereby ARS 308 inherently stores a program, read in column 10, lines 30-34), when being used by the computer, said process comprises converting the conveyance information to be conveyed to a consumer side into pattern information recording digital data as a multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines 34-63), and storing and accumulating replies to the conveyance information, which is returned from the consumer side, in response to the conveyance information restored from the pattern information, in a memory (column 8, lines 1-47, and column 18, lines 40-46, and column 21, lines 1-28).

Regarding ***claim 22***, Philyaw discloses a computer-readable storage medium on which is recorded a program for causing a computer to execute a process (whereby PC 302 inherently stores a program, read in column 10, lines 30-34), when being used by the computer, said process comprises restoring pattern information which records digital data as a multidimensional code, and is printed on distribution material (column 17, lines 18-46), and returning reply information to an information provider side based on conveyance information that is restored from the pattern information and conveyed from the information provider side (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Regarding ***claim 23***, Philyaw discloses the medium discussed above in claim 21, and further teaches of embedding a storage program into the program, if the conveyance information restored from the pattern information includes the storage program (column 17, line 47-column 18, line 46, column 22, lines 2-55, and column 26, lines 34-6).

Regarding ***claim 24***, Philyaw discloses a distribution material on which pattern information is printed to record digital data as a multidimensional code (column 15, lines 26-51,and column 16, line 47-column 17, line 17), the pattern information including at least one of provision information that an information provider side provides to a consumer side (column 17, line 47-column 18, line 26), return information for returning reply information of the provision information (column 18, lines 1-46), and a storage program for determining an environment of the consumer side (column 22, lines 2-55, and column 26, lines 34-65).

Regarding ***claim 25***, Philyaw discloses a computer data signal embodied in a carrier wave and representing control software to control a processor to perform a method (column 8, lines 1-47, column 10, lines 30-55, column 22, lines 2-55, and column 26, lines 34-65), comprising converting the conveyance information to be conveyed to a consumer side into pattern information recording digital data as a multidimensional code (column 8, lines 1-47, column 17, lines 1-67, column 20, lines 32-58, and column 23, lines 34-63), and storing and accumulating replies to the conveyance information, which is returned from the consumer side in response to the conveyance information restored from the pattern information, in a memory (column 8, lines 1-47, and column 18, lines 40-46, and column 21, lines 1-28).

Regarding ***claim 26***, Philyaw discloses a computer data signal embodied in a carrier wave and representing control software to control a processor to perform a method (column 8, lines 1-

47, column 10, lines 30-55, column 22, lines 2-55, and column 26, lines 34-65), comprising restoring conveyance information from pattern information which records digital data, and is printed on a distribution material and records digital data as a multidimensional code (column 17, lines 18-46), and returning reply information to an information provider side based on the conveyance information that is restored from the pattern information and conveyed from the information provider side (column 18, line 1-column 19, line 14, and column 20, lines 47-58).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
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Art Unit 2622

jrp